

REMARKS

At the outset, Applicants thank the Examiner for the thorough review and consideration of the subject application. The Non-Final Office Action of March 29, 2004 has been received and its contents carefully reviewed.

In the Office Action dated March 29, 2004, the Examiner rejected claims 1-7 under 35 U.S.C. § 103(a) as being unpatentable over Okuyama et al. (U.S. Pat. No. 6,556,176) in view of Iida (U.S. Patent No. 6,052,074); and objected to claims 8-38 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants appreciate the indication of allowable subject matter in claims 8-38, however, the rejection of claims 1-7 under 35 U.S.C. § 103(a) as being unpatentable Okuyama et al. in view of Iida is traversed and reconsideration is respectfully requested.

Applicants respectfully submit that claim 1 is patentable over Okuyama et al. in view of Iida in that claim 1 recites a combination of elements including, for example “a plurality of digital to analog converters (DAC) for outputting a reference current of a certain level as a data signal according to R/G/B channels and the control signal.” Neither Okuyama et al. nor Iida, singly or in combination, teaches or suggest at least this feature of the claimed invention. Accordingly, Applicant respectfully submits that claims 3-7, which depend from claim 1, are also allowable over Okuyama et al. in view of Iida.

In rejecting claim 1, the Examiner acknowledges that Okuyama et al. fails to illustrate “the ‘one or more channels’ being ‘R/G/B channels’.” Attempting to cure the deficiency of Okuyama et al., the Examiner cites Iida as allegedly teaching “a multi-channel D/A converter which provides ‘R/G/B channels’ (Abstract, figure 1, DR, DG, DB, AR, AG, AB).” The Examiner then concludes, stating it would have been obvious to modify the “active EL monochrome display” of Okuyama et al. “to produce color using the ‘R/G/B channels’ taught by Iida because Iida provides motivational reasons for doing so are in column 1, lines 10-15.” Applicants respectfully disagree.

Iida teaches, at column 1, lines 10-15, “to uniformize the conversion characteristics of the individual converter units, undesirable ill-effects of parasitic resistances in the conductive lines to each of the D/A converter units are eliminated.” While the devices of both Okuyama et al. and Iida may generally perform a function of converting digital signals into analog signals,

the two devices are not specifically alike in construction or operation. Therefore, by merely citing problems the inventive concept of Iida proposes to overcome, the Examiner has failed to establish that any D/A converter units of Okuyama et al. have the “parasitic resistances in the conductive lines to each D/A converter [unit]” that contribute to the “undesirable ill-effects” cited by Iida, which apparently randomize the “conversion characteristics of the individual converter units.” Accordingly, Applicants respectfully submit that one of ordinary skill in the art would not be motivated to combine Okuyama et al. and Iida and arrive at the claimed invention.

Assuming *arguendo* that the device of Okuyama et al. could be benefited by the inventive concept of Iida, it is respectfully submitted that such combination still does not provide any motivation modify the allegedly “active EL monochrome display” of Okuyama et al. to “produce color” using the cited “R/G/B channels” of Iida. According to M.P.E.P. § 2143.02, the mere fact that references can be combined or modified does not render the resultant combination obvious unless the references also suggest the desirability of the combination. In view of the above, it is respectfully submitted that neither Okuyama et al. nor Iida teach or suggest any desirability in being combined to reach the present invention. Absent any objective reason to combine the Okuyama et al. and Iida, Applicants respectfully request the present invention has been arrived at only with the benefit of the present application, via impermissible hindsight reasoning. Accordingly, and for at least these additional reasons, Applicants respectfully request withdrawal of the present rejection under 35 U.S.C. § 103(a).

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If the Examiner deems that a telephone conversation would further the prosecution of this application, the Examiner is invited to call the undersigned at (202) 496-7500.

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Amendment dated June 27, 2004
Reply to non-final Office Action dated March 29, 2004

Docket No.: 8733.566.00-US

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: July 27, 2004

Respectfully submitted,

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